

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY [Signature]
DEPUTY

HITUL GANDHI, Individually and on
behalf of a class of others similarly
situated
Plaintiffs,

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VS.

CAUSE NO. A-08-CA-248 JRN
(Consolidated)

DELL, INC., and DELL MARKETING
USA, L.P.
Defendants

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. The parties shall complete all discovery related to Plaintiffs' Anticipated Motion for Certification as a collective action under 29 §216(b) and/or Motion for Certification as a class action pursuant to Federal Rule of Civil Procedure 23 on or before January 16, 2009.

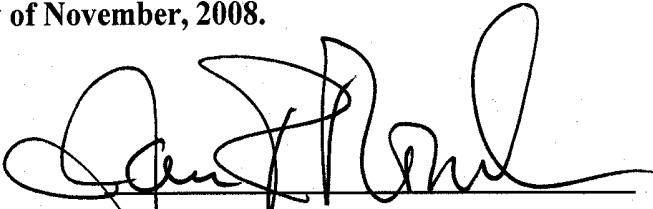
2. Plaintiffs shall file their Motion for Certification under 29 U.S.C. §216(b) and Federal Rule of Civil Procedure 23 by January 30, 2009.

3. Defendants shall file their Response to the Motion for Certification no later than March 2, 2009, or 30 days after the filing of Plaintiffs' Motion, if the Motion are filed before January 30, 2009.

4. Plaintiffs shall file their Reply, if any, no later than March 17, 2009, or 15

days after the filing of Defendants' Response, if the Motion is filed before January 30, 2009.

SIGNED this 19th day of November, 2008.



JAMES R. NOWLIN
UNITED STATES DISTRICT JUDGE